

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

COLBY 2021, LLC, a Kansas limited liability  
company,

Plaintiff,

vs.

CITY OF PLAINVIEW; BRIAN SCHLOTE, in  
his official capacity as Mayor of Plainview;  
BOB SMITH, TYLER SANNE, BRYON  
ALDER, and PAM YOSTEN, in their official  
capacities as members of the Plainview City  
Council,

Defendants.

**8:21CV359**

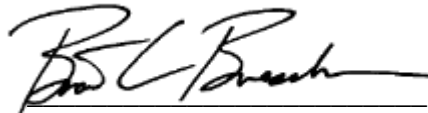
**ORDER ON STIPULATION OF  
DISMISSAL WITHOUT PREJUDICE**

This case is before the Court on the parties' Stipulation of Dismissal Without Prejudice signed by counsel for all parties. [Filing 49](#). In the Stipulation, the parties state that they agree that given the recent developments between the parties, this action should be dismissed without prejudice, with each party to pay its own court costs and waiving reimbursement of such costs. Accordingly,

IT IS ORDERED that the parties' Stipulation of Dismissal Without Prejudice, [Filing 49](#), is granted, and this case is dismissed without prejudice, with each party to pay its own court costs and waiving reimbursement of such costs.

Dated this 5th day of October, 2023.

BY THE COURT:

A handwritten signature in black ink, appearing to read 'Brian C. Buescher', written over a horizontal line.

Brian C. Buescher  
United States District Judge